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16 IVAX, CORPORATION and
17 IVAX PHARMACEUTICALS, INC.

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

21 DEPOMED, INC., a California corporation,

22 Plaintiff,

23 v.
24

25 IVAX CORPORATION, a Florida corporation, and
26 IVAX PHARMACEUTICALS, INC., a Florida
27 corporation,

28 Defendants.

Case No.: C-06-0100 CRB

**STIPULATION AND ~~PROPOSED~~
ORDER APPROVING IVAX FILING
AMENDED ANSWER AND
COUNTERCLAIM**

Under Rule 15(a) of the Federal Rules of Civil Procedure, it is hereby stipulated and agreed between the parties that Defendants Ivax Corporation and Ivax Pharmaceuticals, Inc. ("Ivax") shall file, contemporaneously with this Stipulation, Ivax's Amended Answer and Counterclaim, attached hereto as Exhibit A. Plaintiff Depomed's Reply to the Amended Answer and Counterclaim shall be filed and served no later than May 11, 2007.

Dated: April 11, 2007

SUTHERLAND ASBILL & BRENNAN LLP

By /s/ William F. Long

WILLIAM F. LONG

Attorney for Defendants
IVAX CORPORATION and
IVAX PHARMACEUTICALS, INC.

Dated: April 11, 2007

HELLER EHRMAN LLP

By /s/ Michael K. Plimack

MICHAEL K. PLIMACK

Attorneys for Plaintiff
DEPOMED, INC.

ORDER

IT IS SO ORDERED.

Dated: April 12, 2007

The Honorable Clerk
United States District Court

